

Docket No.: 3350-05I  
File No.: 1158.41315CC8  
Client Ref.: Ebill-I



PATENT

*on*  
*AFB*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
KITCHEN, et al.

: Group Art Unit: 3622

Serial No. 09/892,628

: Examiner: R. Alvarez

Filed: June 28, 2001

For: ELECTRONIC BILL PRESENTMENT INTERFACE

**TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 11, 2005

Sir:

Transmitted herewith is a Reply Brief in the above-identified application.

[ ] No additional fee is required.

[X] Also attached: Request for Oral Hearing; Credit Card Payment Form

The fee (if applicable) has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	20	20	0	x \$50 =	\$0
Independent Claims	3	3	0	x \$200 =	\$0
Request for Oral Hearing Fee					\$1,000.00
<b>TOTAL FEE DUE</b>					<b>\$1,000.00</b>

Docket No.: 3350-051  
File No.: 1158.41315CC8  
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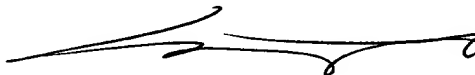
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[X] A Credit Card Payment form in the amount of \$1,000.00 is attached

[X] Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 01-2135, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully Submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alfred A. Stadnicki  
Registration No. 30,226

Suite 1800  
1300 North Seventeenth Street  
Arlington, VA 22209  
Telephone: (703) 236-6080  
Facsimile: (703) 312-6666

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of  
KITCHEN, et al. :  
: Group Art Unit: 3622  
Serial No. 09/892,628 :  
: Examiner: R. Alvarez  
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**REPLY BRIEF**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

May 11, 2005

Sir:

This Reply Brief is submitted in response to the Examiner's Answer dated March 11, 2005, to the Appeal Brief filed on December 13, 2004.

**Related Appeals and Interferences**

In the paragraph bridging pages 1 and 2 of the Examiner's Answer, the Examiner correctly notes that the Section II of the Appeal Brief (entitled "Related Appeals and Interferences") incorrectly indicates that the '587 application was allowed. The undersigned apologizes for this inadvertent error in the Appeal Brief.

It is further to be noted that the reference to the appeals taken in the '587 and '745 applications in Section II of the Appeal Brief is made solely to identify those applications that share common parentage with the subject application and are also subject to appeal.

**Grounds for rejection**

Under Rule 41.39, new grounds for rejection must be designated as such.

On page 2 of the Examiner's Answer, it is stated that "The following ground(s) of rejection are applicable to the appealed claims". There is no designation of "new grounds for rejection" in the "Claim Rejections-35 USC §101", "Claim Rejections-35USC §102" and "Claim Rejections-35USC §103" presented on pages 2-13 of the Examiner's Answer. Likewise, in the "Response to Argument" presented on pages 14-16 of the Examiner's Answer, there is no designation of new grounds for rejection.

It is therefore understood that the Examiner has not presented, for consideration, any new grounds for rejection in the Examiner's Answer.

### **The Examiner's Response to Argument**

In view of the above, this Reply Brief is directed to the Examiner's Response to Argument set forth on pages 14-16 of the Examiner's Answer in rebuttal of the arguments presented in the Appeal Brief.

#### **I.) The Rejection of claims 34-45 and 56-63 under 35 USC §101.**

The Examiner responds to the traversal arguments presented on pages 23-24 of the Appeal Brief in the Examiner's Response to Arguments on page 16 of the Examiner's Answer.

Each of claims 34, 35, 41, 42, and 56 is separately argued in the Appeal Brief.

Independent claim 34 is directed to a process for electronically presenting bills, which includes displaying, in a first portion of a single screen, a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, and displaying, in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, and (ii) a

payment amount area for displaying a payment amount. (emphasis added)

Independent claim 56 is directed to a single screen display for electronically presenting bills, that includes a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, and bill payment information including (i) a payment date area for displaying a payment date which automatically pre-dates the displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner, and (ii) a payment amount area for displaying a payment amount. (emphasis added)

The Examiner argues that "the body of the claims do not recite any computer or device that would allow to analyze or calculate the bills. Therefore, the 101 rejection has been sustained."

However, the rejected claims are not directed to analyzing or calculating bills. Hence, it is unclear how the failure to recite a computer or other device for doing so could form a proper basis for a non-statutory subject matter rejection.

Furthermore, as noted above, claims 34 and 56, as well as their dependencies, are explicitly directed to electronically presenting bills, and thus expressly recite an invention in the electrical arts.

Additionally, claim 34 requires a process that includes displaying, in a single screen, a bill of a biller and bill payment information. Claim 56 requires a single screen display that includes a bill of a biller and bill payment information.

The Examiner now appears to question the meaning of the phrase "single screen" (see second paragraph on page 15 of the Examiner's Answer). It is perhaps worthwhile noting here that, as reported by the AIPLA, Solicitor John Whealan, in his recent presentation of oral arguments on behalf of the U.S Government in Phillips v.

AWH Corp. Fed. Cir, no. 03-1269, when questioned about the proper basis for construing claims indicated that Examiner's and Applicant's are persons of skill in the art whose starting point is the specification. As reported, he further stated that the correct test is "the ordinary meaning of the term to a person of skill in the art at the time the invention was made in the context of the words of the patent." He further indicated that this point is made by the concurring opinion in *Super Guide Corp. v. Direct TV Enterprises*, 358 F. 3d 870, 69 USPQ 2d 1865 (Fed. Cir. 2004). It is respectfully submitted that one need only review the brief description of drawings on pages 10-11 of the present application and what is depicted in the associated Figures to clearly understand the meaning of the phrase "single screen" as used in the present application.

Further still, claim 56 requires a display that electronically presents bill payment information including a payment date area for displaying a payment date which automatically pre-dates a displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner. Claim 35 (which depends from claim 34) recites a similar limitation.

Claims 41 and 42 further recite receiving a user command and automatically changing or displaying information based on the command.

In view of the above, the record evidences that the plain meaning of the claim language to one skilled in the art clearly places the invention of claim 34 and claim 56 (and their respective dependencies) within the technological arts and in full compliance with 35 USC §101, whether or not the test for compliance is that of *Ex parte Bowman*. Accordingly, it is respectfully submitted that no *prima facie* basis is established for the

final rejection of claims 34-45 and 56-63 under 35 USC §101, and the claims recite statutory subject matter.

**II.) The Rejection of Claims 34, 38, 41-43, 46, 50-51, and 53-54 under 35 U.S.C. § 102(b) as anticipated by Hogan and of Claims 35-37, 39-40, 44-45, 47-49, 52, and 55-63 under 35 U.S.C. § 103(a) as obvious over Hogan.**

The Examiner responds to the traversal arguments presented on pages 8-21 of the Appeal Brief in the Examiner's Response to Arguments on pages 14-15 of the Examiner's Answer.

With regard to the Response to Argument presented on page 14 of the Examiner's Answer, no specific claims are identified. Accordingly, it is understood that the response presented on page 14 of the Examiner's Answer is directed, with respect to the claims rejected as anticipated, only to independent claims 34 and 46, and with respect to the claims rejected as obvious, only to independent claim 56. With regard to the Response to Argument presented on page 15 of the Examiner's Answer, only dependent claims 43 and 54 are identified. Accordingly, it is understood that the response presented on page 15 of the Examiner's Answer is directed only to dependent claims 43 and 54.

Each of claims 34, 38, 41, 43, 46, 50, 51, 53 and 54 (rejected as anticipated) and each of claims 35-37, 39, 40, 44, 45, 47-49, 52, 55-59 and 61-63 (rejected as obvious) are separately argued in the Appeal Brief.

Thus, as understood, the Examiner has offered no response to the traversal arguments presented in the Appeal Brief with respect to the anticipation rejection of claims 38, 41, 50, 51 and 53 and the obvious rejection of claims 35-37, 39, 40, 44, 45,

47-49, 52, 55, 57-59 and 61-63.

A.) The Rejection of Claims 34, 38, 41-43, 46, 50-51, and 53-54 under 35 U.S.C. § 102(b) as anticipated by Hogan.

1. Rebuttal of Response to Argument on Page 14 of Examiner's Answer

Independent claim 34 is directed to a process which requires the display (a) in a first portion of a single screen, of a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, and (b) in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, and (ii) a payment amount area for displaying a payment amount.

Independent claim 46 requires a display configured to present (a) in a first portion of a single screen, a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, and (b) in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, (ii) a payment amount area for displaying a payment amount, and (iii) a payment authorization indicator for authorizing payment of the displayed payment amount on the displayed payment date. Also required is an input device for activating the payment authorization indicator and a processor for generating a message to authorize payment of the displayed payment amount on the displayed payment date based on the activation of the payment authorization indicator.

In the first paragraph on page 14 of the Examiner's Answer, the Examiner contends that "Applicant argues that Hogan does not teach a payment due date."



However, contrary to the Examiner's contention, what Applicant has argued is that Hogan's Figure 4 (which the Examiner previously pointed to as teaching a payment due date and supporting the anticipation rejection-see page 6 of the Examiner's Answer) does not disclose "a payment due date". This is clear not only from what is depicted in Figure 4, but also from the related text describing Figure 4.

The Examiner now points to Hogan's Figure 11 as disclosing "a payment due date".

While the undersigned acknowledges that as described by Hogan in column 11, lines 23-25, the subject line (1105) of the email message depicted in Hogan's Figure 11 includes "a payment due date" of "5-19-95", this in and of itself is insufficient to cure the deficiencies in the Examiner's position.

The Examiner now also points to Hogan's Figure 11 as depicting a second portion of a screen displaying "a payment date and a payment amount".

However, contrary to the Examiner's assertion, it is respectfully submitted that Hogan's Figure 11 lacks any display whatsoever of "a payment date and a payment amount", and indeed the Examiner has failed to provide any insight into where within Figure 11 it is contended that the "a payment date and a payment amount" are shown.

In the second paragraph on page 14 of the Examiner's Answer, it is stated that "Applicant argues that Hogan does not teach a payment amount due but admits that it teaches a 'billed amount'".

Although it is unclear which of the arguments presented in the Appeal Brief is being referred to, it is respectfully submitted that Applicant has not argued that Hogan does not teach a payment amount due. Rather what Applicant has argued is that Hogan, in the Figure 11 embodiment, fails to teach a payment amount (not an "amount

due" or a "billed amount") as required in accordance with the present claims. The Examiner appears to have ignored the difference between "a payment amount" (i.e. the amount which the user instructs a payment service provider to pay on the user's behalf) and an "amount due" or "billed amount" (i.e. the amount that the biller has billed the user). However, this difference is well understood to those skilled in the art and material to the invention claimed in the present application.

More particularly, what Hogan clearly fails to teach in the email embodiment of Figure 11 is (a) displaying, in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, and (ii) a payment amount area for displaying a payment amount, as required by claim 34 (emphasis added) or (b) a display configured to present in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, (ii) a payment amount area for displaying a payment amount, and (iii) a payment authorization indicator for authorizing payment of the displayed payment amount on the displayed payment date, as required by claim 46 (emphasis added).

As shown in Figure 11, Hogan teaches a process which displays an email message in a single screen having (a) in a first portion of the single screen, a bill of a biller including (i) a total amount due and (ii) a payment due date, and (b) in a second portion of the single screen, bill payment information including a payment authorization indicator for authorizing payment of the displayed total payment amount due on the displayed payment due date.

What is clearly lacking is any teaching that, in the email (Figure 11) embodiment of Hogan, the bill payment information displayed in the second portion of the single screen should or could include (i) a payment date area for displaying a payment date,

and (ii) a payment amount area for displaying a payment amount as required by independent claims 34 and 46.

On the other hand, what Hogan clearly fails to teach in the WEB embodiment of Figure 4 is (a) displaying, in a first portion of the single screen, a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, as required by claim 34 (emphasis added) or (b) a display configured to present in a first portion of the single screen, a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date (emphasis added).

As shown in Figure 4, Hogan teaches a process which displays a WEB page in a single screen having (a) in a first portion of the single screen, a bill of a biller including total amount due, and (b) in a second portion of the single screen, bill payment information including (i) a payment date area for displaying a payment date, and (ii) a payment amount area for displaying a payment amount.

What is clearly lacking is any teaching that, in the WEB (Figure 4) embodiment of Hogan, the bill of the biller displayed in the first portion of the single screen should or could include a payment due date as required by independent claims 34 and 46, or that the bill payment information displayed in the second portion of the single screen should or could include a payment authorization indicator for authorizing payment of the displayed payment amount on the displayed payment date as required by independent claim 46.

Indeed, as described in column 6, lines 33-36, Hogan automatically deems the payment as authorized in the Figure 4 embodiment when the user selects the payment date, method and amount, and hence Hogan has no need for a payment authorization

indicator for authorizing payment of the displayed payment amount on the displayed payment date.

In the last paragraph on page 14 of the Examiner's Answer, the Examiner states that "Applicant argues that Hogan doesn't teach future payment due dates. The Examiner disagrees with Hogan [as understood this reference was intended to be to "Applicant" and not "Hogan"] because Hogan teaches on col. 6, lines 59-64 that the payee can allow for partial or recurring payments to be displayed, the server computer 160 prompts for the allowed partial payment amount to be displayed when the "allowed partial" is selected (Figure 4, 411)."

The Examiner's position is not understood. First, it is unclear what claim limitation the Examiner is attempting to address. Additionally, the relevance of Hogan's teaching in col. 6, lines 59-64, (which relates to the server computer 160 displaying, when the "allowed partial" (411) is selected in Figure 4, a partial payment amount allowed by the payee) to future payment due dates is entirely unclear. More particularly, as shown in Hogan's Figure 4 and described in the related textual description, Hogan allows the payor to select both a partial payment amount and payment date. However, the actual payment due date (which is not included in the screen display of the Figure 4 embodiment) of a future payment is determined not by the payor's selection, but by the payee (or the contract under which the payee issues the bill).

## 2. Rebuttal of Response to Argument on Page 15 of Examiner's Answer

On page 15 of the Examiner's Answer, the Examiner addresses the traversal arguments relating to the anticipation rejection of dependent claims 43 and 54.

In response to Applicant's arguments that the Examiner's proposed combining of the two different embodiments disclosed by Hogan (i.e. the WEB embodiment of Figure 4 and the email embodiment of Figure 11) to support the anticipation rejection is improper, the Examiner asserts that "Applicant is reminded that the two embodiments of Hogan are part of the same reference and therefore are combinable to make a whole."

However, contrary to the Examiner's position, it is impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly discloses to one of ordinary skill in the art (In re Wesslau, 353 F.2d 238, 147 USPQ 391 (CCPA 1951)) and piecemeal reconstruction of prior art is improper (In re Kamm, 452 F.2d 1052, 172 USPQ 298 (CCPA 1972)).

In this case, the Examiner has chosen to reject the subject claims based on nothing more than what the Examiner alleges to be common knowledge and/or common sense. Although repeatedly asked to produce and make of record objective evidence to support these allegations (see, for example, pages 9-11 of the Request for Reconsideration filed on April 12, 2004 and the penultimate paragraph on page 6 of the Request for Reconsideration filed on September 9, 2004), the Examiner has been either unwilling or unable to do so. This is not only unfair to the Applicant but is also a clearly improper basis for refusing to issue a patent on a claimed invention (See In re Lee, 277 F.3d 1338, 61 USPQ 2d 1430 (Fed. Circ. 2002)).

It is respectfully submitted that neither embodiment of Hogan anticipates any claim of the present application. Furthermore, the Examiner, in rejecting the claims, has relied on a construction of Hogan that is inconsistent with Hogan's own teachings,

and has ignored recited limitations in the claims and the fact that Hogan has not enabled the combination of features recited in the present claims. Hogan fails to provide any teaching or suggestion as to why one would even attempt to combine the different embodiments disclosed by Hogan into a new embodiment corresponding to that claimed in the present application, let alone how one might go about doing so. Indeed the only disclosure that motivates, teaches and enables what the present Applicant has done is the present application disclosure itself. It is respectfully submitted that Hogan does not, and cannot, anticipate the present claims.

Claim 43 (which depends from claim 42) requires displaying, on the single screen, a selectable biller list including a plurality of billers, and receiving a user command that identifies the biller by selecting one of the plurality of billers from the selectable biller list.

It is perhaps worthwhile highlighting here that claim 42 requires that the displayed bill payment information includes a payee area for displaying a payee name, receiving a user command identifying a biller, and automatically displaying a name of the identified biller as the payee name in the payee area. The bill and the bill payment information are displayed in response to the identification of the biller.

Claim 54 requires that the display is further configured to display the bill payment information with a payee area for displaying a payee name, and to display a plurality of biller identifiers on the single screen. The input device is further configured to receive a user command identifying one of the displayed plurality of billers, and the processor is further configured to automatically generate an instruction to display a name of the identified biller as the payee name in the payee area in the displayed bill payment information, based on the user command. The display is also further configured to

display the name of the identified biller as the payee name in the payee area, based on the generated instruction.

The Examiner now points to Figures 4 and 11 and column 6, lines 26-30 of Hogan in support of the anticipation rejection of claims 43 and 54. As understood, the Examiner specifically relies on Hogan's disclosure that "all the unpaid bills are arranged in chronological order with the bill having the earliest due date displayed first. A subscriber may review other bills by clicking the up-arrow indicator 401 or the down-arrow indicator 402 to retrieve the earlier or later bills", as supporting the anticipation rejection of claims 43 and 54.

The Examiner's position is not understood. First, the relied upon Hogan text relates only to the Figure 4 (WEB) embodiment. Furthermore, it is entirely unclear how the ability to display different screens having different bills using up-arrow indicator 401 or the down-arrow indicator 402 as disclosed by Hogan, can anticipate claims 43 and 54.

More particularly, how could such a disclosure anticipate claim 43, which requires displaying, on the single screen, a selectable biller list including a plurality of billers, receiving a user command that identifies the biller by selecting one of the plurality of billers from the selectable biller list, automatically displaying a name of the identified biller as the payee name in the payee area, and displaying the bill and the bill payment information in response to the identification of the biller? How also could such a disclosure anticipate claim 54 which requires (a) the display to be further configured to display the bill payment information with a payee area for displaying a payee name, and to display a plurality of biller identifiers on the single screen, (b) the input device to be further configured to receive a user command identifying one of the displayed

plurality of billers, (c) the processor to be further configured to automatically generate an instruction to display a name of the identified biller as the payee name in the payee area in the displayed bill payment information, based on the user command, and (d) the display to be further configured to display the name of the identified biller as the payee name in the payee area, based on the generated instruction?

With regard to the last paragraph on page 15, the Examiner's position is again not understood. Traversal of the Official Notice and a request that the Examiner identify and properly apply prior art in support of the Official Notice was timely and properly asserted (see, for example, pages 9-11 of the Request for Reconsideration filed on April 12, 2004 and the penultimate paragraph on page 6 of the Request for Reconsideration filed on September 9, 2004). However, as noted above, the Examiner has and continues to be unwilling or unable to identify the requested support.

B.) The Rejection of Claims 35-37, 39-40, 44-45, 47-49, 52, and 55-63 under 35 U.S.C. § 103(a) as obvious over Hogan.

1. Rebuttal of Response to Argument on Page 14 of Examiner's Answer

Independent claim 56 requires a single screen display presenting (a) a bill of a biller including (i) at least one of a total amount due and a minimum amount due, and (ii) a payment due date, and (b) bill payment information including (i) a payment date area for displaying a payment date which automatically pre-dates the displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner, and (ii) a payment amount area for displaying a payment amount.



It is respectfully submitted that the rejection of claim 56 is improper for the reasons discussed above with respect to independent claims 34 and 46.

Furthermore, the Examiner's response continues to ignore the requirement of claim 56 that the displayed payment date automatically pre-date the displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner. It is respectfully submitted that the only disclosure that makes this feature obvious is Applicant's own disclosure.

The Examiner contends that, at the time of the present invention, it was well known that billers specified "a time period where they no longer will receive checks but where the only payments accepted will be money orders or cash in order to avoid prolonging the time period of payment", but fails to provide any objective evidence supporting this assertion. Furthermore, even if the Examiner could establish (through objective evidence) that billers had specified time periods during which they would refuse to receive checks (which is not believed to be the case), one can only ask how such a practice could make obvious a display which functions to display a payment date that automatically pre-dates the displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner?

**III. Features Recited In Each Of The Independent Claims and Numerous  
Dependent Claims Are Neither Taught Nor Suggested By The Applied Prior Art**

It is respectfully submitted that, in addition to the features and limitations discussed above, the Examiner has failed to establish that Hogan teaches or suggests numerous other features and limitations recited in the claims including, for example:

The claim 35 requirements that a payment date, which pre-dates the displayed

payment due date by an amount of time corresponding to a time period for making payment in a particular manner, be automatically displayed initially in the payment date area as the payment date.

The claim 36 requirements (a) that the particular manner of making payment be one of a first type payment mode and a second type payment mode, (b) that if the particular manner of making payment is the first type payment mode, the automatically displayed payment date pre-dates the displayed payment due date by a first amount corresponding to the time period for making payment using the first type payment mode, and (c) that if the particular manner of making payment is the second type payment mode, the automatically displayed payment date pre-dates the displayed payment due date by a second amount, different than the first amount, corresponding to the time period for making payment using the second type payment mode.

The claim 37 requirements that the first type payment mode is payment by hard copy check and the second type payment mode is payment by electronic fund transfer.

The claim 38 requirements that the displayed bill payment information includes a periodic payment area for displaying a periodicity at which further payments of the displayed payment amount are to be made after the displayed payment date.

The claim 40 requirements that the displayed payment information is displayed in the format of a check and includes the payment date displayed as a date of check, the payment amount displayed as an amount of the check, and a cancelled check stamp as the indication that the displayed payment amount has been paid.

The claim 42 requirements (a) that the displayed bill payment information include a payee area for displaying a payee name, (b) that a user command identifying a biller be received , (c) that a name of the identified biller be automatically displayed as the

payee name in the payee area, and (d) that the bill and the bill payment information be displayed in response to the identification of the biller.

The claim 45 requirements that the displayed bill payment information be displayed in a check format.

The claim 47 requirements that a payment date, which pre-dates the displayed payment due date by an amount of time corresponding to a time period for making payment in a particular manner, be automatically displayed initially in the payment date area as the payment date.

The claim 48 requirements (a) that the particular manner of making payment is one of a first type payment mode and a second type payment mode, (b) that if the particular manner of making payment is the first type payment mode, the automatically displayed payment date pre-dates the displayed payment due date by a first amount corresponding to the time period for making the payment using the first type payment mode, and (c) that if the particular manner of making payment is the second type payment mode, the automatically displayed payment date pre-dates the displayed payment due date by a second amount, different than the first amount, corresponding to the time period for making the payment using the second type payment mode.

The claim 49 requirements that the first type payment mode is payment by hard copy check and the second type payment mode is payment by electronic fund transfer.

The claim 50 requirements (a) that the displayed bill payment information includes a listing of selectable periods, (b) that the input device be further configured to receive a user selection of one of the listed selectable periods, (c) that the bill payment area include a payment period area for displaying the selected period, and (d) that the processor be further configured to generate the message to authorize payment of the

displayed payment amount on the displayed payment date and thereafter at the displayed selected period based on the activation of the payment authorization indicator.

The claim 52 requirements that the display is further configured to display the payment information in a format of a check, and the displayed payment information includes the payment date displayed as a date of the check, the payment amount displayed as an amount of the check, and a cancelled check stamp displayed as the payment made indicator.

The claim 55 requirements that the displayed bill payment information be displayed in a check format.

The claim 57 requirements that the bill payment information include a periodic payment area for displaying a periodicity at which further payments of the displayed payment amount are to be made after the displayed payment date.

The claim 59 requirements that the bill payment information is displayed as a check with the payment date displayed as a date of check, the payment amount displayed as an amount of the check, and a status indicator displayed as the indication of a status of payment of the displayed payment amount.

The claim 61 requirements that the display include a selectable biller list including a plurality of billers.

The claim 63 requirements that the bill payment information is displayed in a check format.

**In conclusion**, it is respectfully submitted that the Examiner (i) has failed to establish a prima facie case for the rejection (by, for example, effective ignoring numerous limitations expressly recited in the claims), (ii) has proposed to modify the

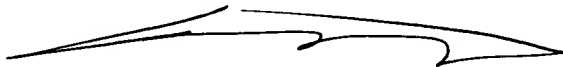
applied art in a manner which is unmotivated and inconsistent with its own teachings, (iii) has failed to apply art which teaches or suggests the claimed invention, and (iv) has, at best, attempted to improperly reconstruct the invention using the present applications own disclosure or relied on pure speculation in rejecting the claims.

Thus, it is again respectfully submitted that the rejection of the pending claims is in error, and reversal is clearly in order and is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 01-2135 and please credit any excess fees to such deposit account.

Respectfully Submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alfred A. Stadnicki  
Registration No. 30,226

Suite 1800  
1300 North Seventeenth Street  
Arlington, VA 22209  
Telephone: (703) 312-6600  
Facsimile: (703) 312-6666

AAS/slk